



DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 21-23]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Neil Hedlund at neil.g.hedlund.civ@mail.mil
or (703) 697-9214.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 21-23 with attached Policy Justification and Sensitivity of Technology.

Dated: January 31, 2023.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer,

Department of Defense.



DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202-5408

June 24, 2021

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-23, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of the Philippines for defense articles and services estimated to cost \$42.4 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

for Heidi H. Grant
Heidi H. Grant
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the Philippines

(ii) Total Estimated Value:

Major Defense Equipment*	\$27.8 million
Other	<u>\$14.6 million</u>
TOTAL	\$42.4 million

Funding Source: National Funds

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twenty-four (24) AIM-9X Sidewinder Block II Tactical Missiles

Twenty-four (24) AIM 9X Block II Captive Air Training Missiles (CATMs)

Six (6) Tactical Guidance Units

Ten (10) Captive Air Training Missile (CATM) Guidance Units

Non-MDE:

Also included are containers, support and test equipment, spare and repair parts, personnel training and training equipment, publications and technical data, software delivery and support, U.S. Government and contractor technical assistance and other related support; and other related elements of logistical and program support.

(iv) Military Department: Navy (PI-P-AAY)

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex

(viii) Date Report Delivered to Congress: **June 24, 2021**

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Philippines – AIM-9X Sidewinder Block II Tactical Missiles

The Government of the Philippines has requested to buy twenty-four (24) AIM-9X Sidewinder Block II tactical missiles; twenty-four (24) AIM-9X Block II Captive Air Training Missiles (CATMs); six (6) Tactical Guidance Units; and ten (10) Captive Air Training Missile (CATM) Guidance Units. Also included are containers, support and test equipment, spare and repair parts, personnel training and training equipment, publications and technical data, software delivery and support, U.S. Government and contractor technical assistance and other related support; and other related elements of logistical and program support. The estimated total cost is \$42.4 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a strategic partner that continues to be an important force for political stability, peace, and economic progress in South East Asia.

The proposed sale will improve the Philippines' capability to meet current and future threats by enabling the Philippines to deploy fighter aircraft with a short range air-to-air missile defense capability. The Philippines Air Force is modernizing its fighter aircraft to better support its own air defense and maritime security needs. The Philippines will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Raytheon Missile Systems Company, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require travel of U.S. Government or contractor representatives to the Philippines on a temporary basis for program technical support and management oversight.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act

Annex
Item No. vii

(vii) Sensitivity of Technology:

1. The AIM-9X Block II Sidewinder Missile represents a substantial increase in missile acquisition and kinematics performance over the AIM-9M and replaces the AIM-9X Block I Missile configuration. The missile includes a high off-boresight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portion of the AIM-9X missile. The software continues to be modified via a pre-planned product improvement (P3I) program in order to improve its counter-countermeasure capabilities. No software source code or algorithms will be released.
2. The highest level of classification of defense articles, components, and services included in this potential sale is CONFIDENTIAL.
3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.
4. A determination has been made that the Philippines can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.
5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of the Philippines.